

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL APPLICATION NO.3297 OF 1995

Kishore Morumal Bachani ...Applicant
Vs.
The State of Maharashtra ...Respondent

Shri A.S. Khandeparkar with Shri Santosh D. Raje for
the Applicant.
Mrs S.D. Shinde, A.P.P. for the Respondent.

CORAM : S.C. DHARMADHIKARI, J.
DATE : DECEMBER 22, 2005.

P.C.:

1. The Applicant in this Application as also in Criminal Application No.2886 of 1992 are identical. Only the Special Case number differs. The said Special Case number is 08 of 1987. The property is different. But, here also the charge against the Applicant is identical. The arguments of both sides are also identical. In the light of my conclusion in Application No.2886 of 1992, this Application deserves to succeed.

2. Accordingly, Rule is made absolute to the extent that the Applicant will stand discharged from Special Case No.08 of 1987. However, the order pertaining to other accused is not disturbed.

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JUDGE